

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

DePuy Mitek, Inc.)	
a Massachusetts Corporation)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 04-12457 PBS
)	
Arthrex, Inc.)	
a Delaware Corporation, <i>et al.</i>)	
)	
Defendant.)	
)	

**UNOPPOSED MOTION TO EXTEND TIME FOR FILING RESPONSE TO
DEPUY MITEK, INC.'S MOTION TO STRIKE ARTHREX'S RELIANCE ON ITS OWN
INTERROGATORY CONTENTIONS AND DR. MUKHERJEE'S TIGERWIRE
OPINIONS IN OPPOSITION TO DEPUY MITEK'S MOTION FOR SUMMARY
JUDGMENT OF INFRINGEMENT AND NO INEQUITABLE CONDUCT**

Defendants Arthrex, Inc. ("Arthrex") and Pearsalls, Ltd. ("Pearsalls") (together, "defendants") move to extend the time for filing a response to DePuy Mitek, Inc.'s ("DePuy Mitek's") motion to strike Arthrex's reliance on its own interrogatory contentions and Dr. Mukherjee's TigerWire opinions in opposition to DePuy Mitek's motion for summary judgment of infringement and no inequitable conduct until October 4, 2006.

According to local rule 7.1(b)(2), a response to DePuy Mitek's motion is due on September 29, 2006. In accordance with Local Rule 7.1(a)(2), counsel for defendants certify that they conferred with counsel for DePuy Mitek on September 27, 2006. DePuy Mitek does not oppose this motion.

Dated: September 28, 2006

Respectfully submitted,

By: /s/Salvatore P. Tamburo
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Counsel for Defendants
Arthrex, Inc. and Pearsalls Ltd.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing UNOPPOSED MOTION TO EXTEND TIME FOR FILING RESPONSE TO DEPUY MITEK, INC.'S MOTION TO STRIKE ARTHREX'S RELIANCE ON ITS OWN INTERROGATORY CONTENTIONS AND DR. MUKHERJEE'S TIGERWIRE OPINIONS IN OPPOSITION TO DEPUY MITEK'S MOTION FOR SUMMARY JUDGMENT OF INFRINGEMENT AND NO INEQUITABLE CONDUCT and proposed Order were served, via the Court's email notification system on the following counsel for Plaintiff on the 28th day of September 2006:

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a Delaware Corporation)	
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Defendant.)	

ORDER

Upon consideration of the Unopposed Motion to Extend Time For Filing Response to DePuy Mitek, Inc.'s Motion to Strike Arthrex's Reliance on its Own Interrogatory Contentions and Dr. Mukherjee's TigerWire Opinions in Opposition to DePuy Mitek's Motion For Summary Judgment of Infringement and No Inequitable Conduct, it is ORDERED that the motion is GRANTED.

This __ day of September, 2006.

PATTI B. SARIS
UNITED STATES DISTRICT COURT JUDGE